

## MINUTES

### Tennessee Board of Examiners for Land Surveyors

The Tennessee Board of Examiners for Land Surveyors met on Thursday, September 3, 2009 at 9:00 am in the 2<sup>nd</sup> Floor Conference Room of the Andrew Johnson Tower, 710 James Robertson Parkway, Nashville, TN.

#### ***THURSDAY, SEPTEMBER 3, 2009 –***

Those present were: Jackie Dillehay, Chairman; Sue Braly, Vice-Chairman; Tim Lingerfelt, our new Board Member; David Cagle, Board Member; Robert Herndon, Attorney for the Board; and Donna Moulder, Administrative Director for the board.

Iris Sesko and Paul Henson, members of the continuing education committee, were also present.

The meeting was called to order at 9:05 by Chairman Jackie Dillehay.

The agenda was then reviewed. Tim Lingerfelt then made a motion to accept the agenda as amended. David Cagle seconded the motion. The motion carried unanimously.

The minutes of the previous meeting were then reviewed. David Cagle made a motion to accept the minutes as read. Tim Lingerfelt seconded the motion. The motion carried 2-0. Mr. Lingerfelt abstained from voting as he was not on the board nor was he present at the previous meeting.

Election of officers was then held. David Cagle moved to nominate Jackie Dillehay to continue as chairman. Tim Lingerfelt seconded the motion. The motion carried unanimously. Jackie Dillehay is the chairman.

David Cagle then moved to nominate Sue Braly as vice chairman by acclamation. The motion failed for lack of a second.

The board then tabled the election of a vice chairman until Sue Braly arrived, as she was stuck in traffic and running late to the meeting.

Robert Herndon then presented the following complaints for review:

***Complaint #200802082*** – Tim Lingerfelt is to review this complaint and report his findings back to the board at the next meeting.

**Complaint #200802526** – Jackie Dillehay is to review this complaint and report his findings back to the board at the next meeting.

**Complaint #200802604** – David Cagle is to review this complaint and report his findings back to the board at the next meeting.

**Complaint #200900202(1) & #200900202(2)** – Tim Lingerfelt made a motion to have the attorney prepare a letter of warning and a cease and desist letter to the respondents and dismiss this complaint. David Cagle seconded the motion. The motion carried unanimously.

**Complaint #200900780** – Sue Braly made a motion dismiss this complaint base on the complainant's request to withdraw the complaint. Tim Lingerfelt seconded the motion. The motion carried unanimously.

**Complaint #200900919** – Tim Lingerfelt made a motion to issue a consent order and civil penalty for \$1,000.00 + costs for unlicensed practice and to do what is necessary to address this matter up to and including a formal hearing. David Cagle seconded the motion. The motion carried unanimously.

**Complaint #200900779** – Jackie Dillehay reviewed this complaint. He needs a complete copy of the certified survey (scale drawing) in question that was prepared by the respondent. Tim Lingerfelt made a motion to have the attorney request this information. David Cagle seconded the motion. The motion carried unanimously.

David Cagle then nominated Sue Braly for vice-chairman. Mr. Cagle made a motion to accept the nomination of Sue Braly for vice-chairman. The motion failed for lack of a second.

David Cagle then nominated Tim Lingerfelt for vice-chairman. Mr. Cagle made a motion to accept the nomination of Tim Lingerfelt for vice-chairman. Sue Braly seconded the motion. The motion carried unanimously. Tim Lingerfelt is vice-chairman.

The board then met with the Continuing Education Ad Hoc Committee, which consisted of Paul Henson and Iris Sesko. Tim Lingerfelt made a motion that the board streamline the new continuing education guidelines to give to the continuing education committee. David Cagle seconded the motion. The motion carried unanimously.

#### **OLD BUSINESS:**

For future reference, teaching experience per TCA 62-62-109(a) is counted toward experience and not toward education.

### ***NEW BUSINESS:***

C2C matter – Tim Lingerfelt made a motion to direct Robert Herndon to send a letter to C2C regarding the board's notice of lack of compliance. David Cagle seconded the motion. The motion carried unanimously.

Tim Lingerfelt gave a report on the NCEES convention in Louisville, KY.

The board then reviewed the "re"-application of Robert Hood. Tim Lingerfelt made a motion to require Mr. Hood to submit 30 hours of Tennessee approved continuing education that has been taken within the date of his application and December 31, 2009. The continuing education is subject to the board's approval. David Cagle seconded the motion. The motion carried unanimously.

There being no further business, the meeting was adjourned at 4:20 pm.

### ***FRIDAY, SEPTEMBER 4, 2009 –***

The Tennessee Board of Examiners for Land Surveyors met on Friday, September 4, 2009 at 9:00 am in the 8<sup>th</sup> Floor Conference Room of the Andrew Johnson Tower, 710 James Robertson Parkway, Nashville, TN.

Those present were: Jackie Dillehay, Chairman; Tim Lingerfelt, Vice-Chairman; Sue Braly, Public Board Member; David Cagle, Board Member; and Donna Moulder, Administrative Director for the board.

The meeting was called to order at 8:25 am by Chairman Jackie Dillehay.

The board reviewed applications for the October 2009 land surveyor's examination.

The following applications were denied:

- ❖ James McCrory – needs more office experience – needs one year of predominately office experience
- ❖ John Stanley – needs more progressive office experience
- ❖ Don VanHook – needs more progressive office experience
- ❖ Joshua Meeks – needs more experience
- ❖ James J. Davis – one hour short of the hours required for licensure
- ❖ David Slack – incomplete application; only one reference received

❖ James Tinsley – incomplete application

The following applications were approved:

Ryan Henley  
Chris Freeman  
John Zachary Wilkenson  
Benjamin Patton  
Robert Casebolt  
Alan Allbert  
David Griswold  
Jeremy Gatten  
Ashton McPherson  
Joe Leftwich  
Danl Hall  
Jim McGowan  
Ryan Jones  
Mike Adams  
James Kovas  
Christopher Lewis  
Michael Zoltek  
Jason Looper  
John Smith  
William Payne  
Wayne Shanks  
Thomas Baker  
Benjamin Wambolt  
William Villaflor  
Timothy Alexander  
Larry Brandon Lambert  
Donna Cantrell  
Nicholas Northcutt  
Tyler McCoy

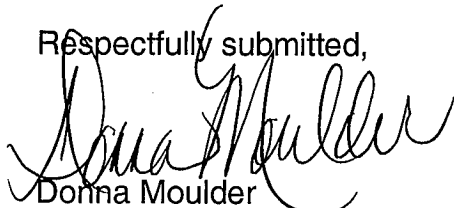
Complaint #200802604 – After reviewing this complaint David Cagle then gave a report to the full board for their action. Mr. Cagle found a violation of TCA 62-18-116(b). Mr. Cagle made a motion to issue the respondent a letter of reprimand. Sue Braly seconded the motion. The motion carried 2-0 with one abstention.

The board then reviewed the rule changes.

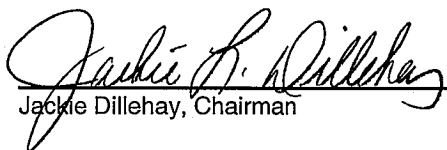
The next meeting was scheduled for January 7-8, 2010.

There being no further business, the meeting adjourned at 3:30 pm.

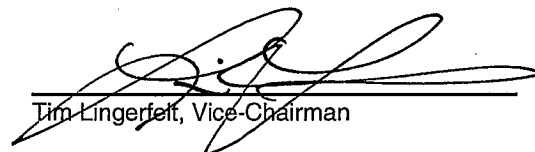
Respectfully submitted,



Donna Moulder  
Administrative Director



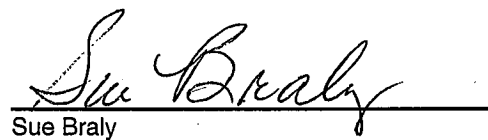
Jackie Dillehay, Chairman



Tim Lingerfelt, Vice-Chairman



David Cagle



Sue Braly